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Attorneys for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

AG, a minor, by and through natural
parent Alexis Gutierrez, and all
others similarly situated,

Plaintiffs,

v.

SOUTH BAY DREAMS
COOPERATIVE d/b/a HARBOR
COLLECTIVE,

Defendant.

Case No.: 3:16-cv-02598-L-DHB

**JOINT MOTION FOR
DISMISSAL OF ACTION WITH
PREJUDICE AS TO THE
NAMED PLAINTIFF AND
WITHOUT PREJUDICE AS TO
THE PUTATIVE CLASS**

HON. M. JAMES LORENZ

Plaintiff AG, hereby moves to dismiss the above entitled action with prejudice as to the named Plaintiff and without prejudice as to the Putative Class, pursuant to Fed. R. Civ. Procedure 41(a)(1)(ii), each party shall bear his/its own costs. The notice and approval requirements of Federal Rule of Civil Procedure 23(e) are inapplicable to the parties' settlement and dismissal of this Putative Class action because this action has not been certified as a class.

WHEREFORE, Plaintiff respectfully requests that this Court dismiss this action with prejudice as to the named Plaintiff, and without prejudice as to the Putative Class. This Court retains jurisdiction to enforce the settlement of this action.

Respectfully submitted,

Dated: October 29, 2018

HYDE & SWIGART

By: s/Yana A. Hart
Yana A. Hart
Attorneys for Plaintiff

Dated: October 29, 2018

LAW OFFICE OF STEVEN A. ELIA

By: s/Steven A. Elia
Steven A. Elia
Attorneys for Defendant

Signature Certification

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Steven A. Elia, counsel for the Defendant, and that I have obtained his authorization to affix his electronic signature to this document.

Dated: October 3, 2018

HYDE & SWIGART

By: s/Yana A. Hart
Yana A. Hart
Attorneys for Plaintiff